

SENATE CHAMBER,
AUSTIN, TEXAS, Thursday, July 7, 1870.

Senate met pursuant to adjournment; President Don Campbell presiding. Roll called; quorum present. Prayer by the Chaplain.

Message from the House by Chief Clerk, with action of the House on House bill 176, "An Act to incorporate the International Railroad Company," and to provide for the aid of the State of Texas in constructing the same.

Journal of yesterday read and approved.

PETITIONS.

By Senator Gaines: Petition of S. B. Buckley, for services as Geologist.

Referred to Judiciary Committee.

REPORTS OF COMMITTEES.

Report of Committee on Agricultural Affairs:

COMMITTEE ROOM,
Austin, Texas, July 7, 1870.

Hon. DON CAMPBELL,

President of Senate:

SIR: Your Committee on Agriculture, to whom was referred Senate bill 228, "An Act to further the agricultural development of the State of Texas," have had the same under consideration, and report the accompanying substitute for the bill, with a recommendation that it do pass.

THOS. H. BAKER,

Chairman Committee on Agricultural Affairs.

Laid over under the rules.

Report from Committee on Education:

COMMITTEE ROOM,
July 7, 1870.

Hon. DON CAMPBELL,

President of Senate:

Your Committee on Education having had under consideration

the subject of Public Free Schools, would report the accompanying bill, and recommend that it do pass.

E. PETTIT,
Chairman Education Committee.

Report received.

Bill read first time, and on motion of Senator Fountain rules suspended and the bill made the special order for Monday next at 11 o'clock, and that one hundred copies of same be printed for the use of the Senate.

Report of Finance Committee:

COMMITTEE ROOM,
Austin, Texas, July 6, 1870.

Hon. DON CAMPBELL,
President of Senate:

Your Committee on Finance, to whom was referred House bill No. 153, "An Act appropriating money to pay a claim upon vouchers against the State," have examined the same, and return said bill to the Senate with the recommendation that it do pass.

J. S. MILLS,
Chairman Finance Committee.

On motion of Senator Ruby, the report of committee was received and adopted.

On motion of Senator Ruby, the bill was read third time and passed by the following vote:

Yeas—Mr. President, Baker, Bell, Cole, Evans, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Priest, Pridgen, Pyle, Rawson, Ruby, Shannon—20.

Nays—None.

Absent—Senator Saylor.

Under arrest and not voting—Bowers, Broughton, Clark, Dohoney, Douglas, Flanagan, Latimer—7.

Report of Committee on Finance:

COMMITTEE ROOM,
July 6, 1870.

Hon. DON CAMPBELL,
President of the Senate:

Your Finance Committee to whom was referred the indebtedness of the State Penitentiary to sundry individuals, beg leave to report that they have investigated those claims and indebtedness, and whilst believing that great hardships is occasioned by non-payment of just debts, the committee are unwilling to make special appropriations to pay any particular claim in preference to others, and as there are a number of such claims which ought to be paid, your committee

would recommend the passage of the accompanying bill authorizing the Comptroller to audit and settle all such claims which are now outstanding, and which in justice ought to be paid, wherefore your committee present the following bill and recommend its passage.

J. S. MILLS,
Chairman Committee.

Bill and report read and laid over under rules.

The hour for consideration of special order having been announced by the Chair, on motion of Senator Fountain the consideration of Senate bill No. 218 was postponed fifteen minutes.

Report of Committee on Engrossment :
To the Hon. DON CAMPBELL,
President of Senate :

Your Committee on Engrossed Bills having examined and compared Senate bill No. 87, "Providing for the payment of District Attorneys *pro tem.*," and substitute for Senate bill No. 130, "To incorporate the Texas Odd Fellows' University and Orphans' Home," find the same to be correctly engrossed.

G. T. RUBY,
P. W. HALL,

RESOLUTIONS.

Senator Hall offered the following resolution :

WHEREAS, The impression prevails in the minds of several Senators that Senate bill No. 94, known as the "Southern Pacific Railroad bill," has been unnecessarily delayed in the hands of the Committee on Enrolled Bills ; therefore

Resolved, That the chairman of said committee be requested to give his reasons why said bill has not been ere this time forwarded to his Excellency the Governor, for his consideration and action on the same.

Adopted.

Reasons for delay, as reported by the chairman of the committee, were received by the Senate.

Special order, Senate bill 218, a bill to be entitled, "An Act regulating the public printing."

Bill read second time. Report of committee, with amendments, read and adopted.

Senator Pickett moved to strike out section thirteen.

Message from the House informing the Senate of the non-concurrence on the part of the House to Senate amendments to House bill 115.

On motion of Senator Ruby the Senate proceeded to consider the

action of the House, and on further motion a Committee of Conference was appointed by the Chair to confer with like committee on the part of the House. The Chair appointed as said Committee of Conference, Senators Ruby, Priest and Bell.

Under direction of the President the Secretary notified the House of the appointment by the Senate of said Committee of Conference, with request that the House appoint a like committee.

The Secretary also informed the House of the action of the Senate on Senate bill No. 87, "An Act providing for the payment of district attorney's *pro tem*."

Also, substitute for Senate bill No. 130, "An Act to incorporate the 'Texas Odd Fellows' University and Orphans' Home."

Also House bill 153, "An Act appropriating money to pay a claim upon vouchers against the State."

On motion of Senator Ruby the special hour for executive session of the Senate was postponed until the business before the Senate was disposed of.

[Senator Ruby in the chair.]

The question reoccurring upon the motion of Senator Pickett to amend Senate bill 218, by striking out section thirteen, the yeas and nays were called and resulted as follows :

Yeas—Cole, Evans, Pickett, Pridgen, Pyle, Shannon—6.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Under arrest, and not voting—Bowers, Broughton, Clark, Dohoney, Douglas, Flanagan, Latimer—7.

Motion to strike out lost.

Senator Pickett moved to amend by striking out sections fourteen, fifteen and sixteen.

Yeas and nays called and resulted as follows :

Yeas—Cole, Evans, Pickett, Pridgen, Pyle, Shannon—6.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

Under arrest, not voting—Bowers, Broughton, Clark, Dohoney, Douglas, Flanagan, Latimer—7.

Motion to strike out lost.

Senator Ford offered the following amendment :

Amend section fourteen by adding to line five: "And any officer selling property of any kind whatever without advertising the same, as required by this section, shall be responsible for all damages that any party may sustain."

The yeas and nays called and resulted as follows :

Yeas—Baker, Bell, Evans, Ford, Fountain, Gaines, Hall, Hertz-

berg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor, Shannon—17.

Nays—Cole, Pickett, Pyle—3.

Under arrest and not voting—Bowers, Broughton, Clark, Dohoney, Douglas, Flanagan, Latimer—7.

Amendment adopted.

Senator Priest offered the following amendment:

Amend section sixteen, line one: Strike out the words "section one" and insert the words "the provisions."

Adopted.

Senator Fountain moved the engrossment of the bill as amended.

Yeas and nays taken:

Yeas—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—15.

Nays—Cole, Evans, Pickett, Pridgen, Shannon—5.

Under arrest, not voting—Bowers, Broughton, Clark, Douglas, Dohoney, Flanagan, Latimer—7.

Absent—Senator Pyle.

Bill passed to engrossment.

On motion of Senator Priest the rules were suspended and Senate bill No. 218 made the special order for to-morrow at 10:15 A. M.

BILLS.

By leave, Senator Fountain introduced the following bill: "An Act creating the office of State Engineer and General Superintendent of Public Works, and the duties thereof."

Read first time and referred to Committee on Judiciary.

[President resumed the chair.]

On motion of Senator Fountain, Senate went into executive session.

IN THE SENATE.

On motion of Senator Saylor, Senate adjourned.